

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL PHELPS and TAMMY PHELPS,

Plaintiffs,

Case No. 09-cv-12311

Hon. Nancy G. Edmunds

vs.

THE CITY OF ECORSE, a municipal corporation,
CHIEF JERRY COPELAND, in his official and individual
capacities; SERGEANT CORNELIUS HERRING,
CORPORAL TIMOTHY SASSAK, POLICE OFFICERS
JOHN DOE 1-5, POLICE SUPERVISORS ROE 1-5,
DOWNRIVER MUTUAL AID, a Michigan entity created
under the Urban Cooperation Act of 1967, a municipal corporation,
TEAM LEADER STEVEN McINCHAK and JIM DOE 1-5
DOWNRIVER SWAT officers, acting in their individual
and supervisory capacities.

Defendants.

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CONSENT JUDGMENT

The parties have expressed their desire to enter into a Consent Judgment in this matter.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that the Plaintiffs, Michael and Tammy Phelps, shall recover from the Defendants, The City of Ecorse, Chief Jerry Copeland, Sergeant Cornelius Herring and Corporal Timothy Sassak, the **sum of \$215,000.00**.

As a condition of said Consent Judgment, Plaintiffs will refrain from execution on said judgment for a period of six months from the date of entry.

It is hereby further **ORDERED AND ADJUDGED** that Defendants shall undertake all steps necessary to issue judgment bonds or other bonds to finance and pay the judgment in their required frame which funds shall be repaid by one or more judgment millage levies by the Defendants over the period of years provided by law in amounts necessary to fully fund payment of said judgment bonds pursuant to and in accordance with the provisions of MCL 600.6093 and MCL 600.6097, or by the issuance of other bonds according to law, and all other applicable statutes and laws of the State of Michigan.

It is further **ORDERED AND ADJUDGED** that Defendants shall undertake all actions necessary to effectuate the terms of this Judgment within a reasonable time period.

It is hereby further **ORDERED AND ADJUDGED** that this Court shall retain jurisdiction of this matter.

s/ Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: December 28, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on Tuesday, December 28, 2010, electronic and/or ordinary mail.

s/ Carol A. Hemeyer
Case Manager

Approved as to Form:

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